

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FRED and BETTY PADILLA,

Plaintiffs,

vs.

Civ. No. 00-1465 LH/WWD

LOMAS AUTO MALL, INC., THE CAR COMPANY,
INC.; MICHAEL RICHESIN, a/k/a MICKEY RICHESIN;
GREAT AMERICAN INSURANCE COMPANY; and
WESTERN SURETY COMPANY,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiffs' Motion to Compel Discovery [docket # 55] filed August 21, 2001. Plaintiffs seek an order in connection with certain Requests to Produce ("RTP"). After reviewing the submissions of counsel, I find that the documents sought in RTP # 13, 16, and 17 served on Lomas Auto Mall, and in RTP # 2¹ and RTP # 2² and 3 served on The Car Company, should be produced to Plaintiffs. Plaintiffs' counsel's suggestion to limit the time period in connection with RTP # 13 and RTP # 2¹ to the thirteen months between November 1, 1999, and November 30, 2000 will be deemed an amendment to those RTP's. Defendant The Car Company shall serve a complete and accurate answer to Interrogatory #5 from Plaintiffs' First Set of Discovery. No further response will be required to the next Interrogatory (# 6). No response will be required at this time to RTP #15 to Lomas Auto Mall, RTP # 4 to The Car

¹RTP # 2 from the first set of discovery will be denominated RTP # 2¹ and RTP # 2 from the second set of discovery will be denominated RTP # 2².

Company and RTP # 1 to Mr. Richesin. Nor will responses be required at this time to Interrogatories #19 to Lomas Auto Mall, #7 to The Car Company, and #3 to Michael Richesin.

The responses and production required by this Order shall be served on Plaintiffs on or before September 21, 2001.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE